



W.P.(MD)No.17609 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.02.2024

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.17609 of 2022

Saraswathi

... Petitioner

Vs.

1.The Superintendent of Police,
Office of the Superintendent of Police,
Tirunelveli District.

2.Ramakrishnan,
The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Seranmahadevi, Tirunelveli District.

3.Subramani,
The Special Sub Inspector of Police,
Veeramanallur Police Station,
Tirunelveli District.

... Respondents

PRAYER:- Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus, to direct the first respondent to take appropriate action against the respondents 2 & 3 and protect the life and limb of the petitioner's husband by considering her representation dated 19.07.2022.

For Petitioner : Mr.A.Naresh Prabu

For Respondents : Mr.B.Nambiselvan

The Additional Public Prosecutor

ORDER

This Writ Petition has been filed to direct the first respondent to take appropriate action against the respondents 2 & 3 and protect the life and limb of



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the petitioner's husband, by considering her representation, dated 19.07.2022.

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2. The learned counsel appearing for the petitioner would submit that the petitioner and her husband are belong to different community. They have performed inter-caste marriage. Thereby, the Law Enforcing Agency implicated the petitioner's husband in several offences and they decided to commit encounter. For which, she made a complaint before the first respondent and the same was not considered. Hence, this petition.

3. The grievance of the petitioner is that some of the officials of the Law Enforcing Agency is decided to commit encounter. However, the encounter is decided at the time of situation warrancy and the petitioner cannot file anticipatory mandamus. Hence, this Court is not inclined to consider the prayer sought for by the petitioner.

4. Accordingly, this Writ Petition is dismissed. No costs.

08.02.2024

Index : Yes/No
Internet : Yes/No
NCC : Yes/No
dss



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To

- 1.The Superintendent of Police,
Office of the Superintendent of Police,
Tirunelveli District.
- 2.Ramakrishnan,
The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Seranmahadevi,
Tirunelveli District.
- 3.Subramani,
The Special Sub Inspector of Police,
Veeramanallur Police Station,
Tirunelveli District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madras.



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M.DHANDAPANI, J.

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